

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-2, 4-11, 13-19, 21-23, 27-29, and 31 are amended. Claims 3, 20, 24, 25, 30 and 32 are canceled. After entering the foregoing amendments, Claims 1, 2, 4-19, 21-23, 26-29 and 31 are pending in the application.

Rejection under 35 U.S.C. 101

On page 2 of the Office Action, Claims 29 and 31 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Applicant has amended Claims 29 and 31 to overcome the rejection. Withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. 102(b)

On page 2 of the Office Action, Claims 1-2, 5-11, 16-25, 30 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Asakawa et al. (5,119,424). Applicant has amended Claim 1 to incorporate Claim 3, which the Examiner notes as allowable if written in independent format. Applicant has also amended independent Claim 16, rendering moot the rejection of Claims 16-19, 21-25. Claims 20, 30 and 32 have been canceled.

In view of Applicant's amendments, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. 102(b).

Rejection under 35 U.S.C. 112

On page 5 of the Office Action, Claims 16-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner rejects Claims 16-25 as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. The Examiner alleges the omitted elements are: the excitation parameters being

extracted covering two consecutive blocks. Applicant has amended the Claims 16-19 and 21-25, rendering this rejection moot. Withdrawal of the rejection is requested.

Applicant has canceled Claim 20 rendering the rejection regarding Claim 20 moot. Withdrawal of the rejection is requested.

Allowable Subject Matter

On page 6 of the Office Action, Claims 12-15 and 26-28 are allowed.

Objected to Claims

On page 6 of the Office Action, the Examiner notes that "Claims 3-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Claim 3 has been incorporated into independent Claim 1. Claim 4 has been amended to depend from Claim 1. Withdrawal of the objection is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

4/18/10

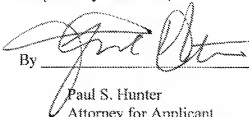
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